

**REMARKS**

Applicants' representative respectfully requests a personal interview with Primary Examiner Alexander O. Williams, in the above mentioned application, prior to the first Office Action after the filing of a Request for Continued Examination (filed concurrently herewith) in accordance with M.P.E.P. § 713.01(III) and § 713.02. This paper corresponds to the PTOL-413A form.

Primary Examiner Williams kindly is requested to contact the undersigned attorney at the local telephone number listed below (or at Applicants' representative's direct number at 703-761-7623) to arrange for the personal interview at the Examiner's earliest convenience.

**I. Tentative Participants**

- (1) John J. Dresch, Registration No. 46,672
- (2) Examiner Alexander O. Williams, Art Unit 2826

**II. Proposed Date and Time of Interview**

The Examiner is requested to contact the undersigned attorney at the local telephone number to arrange for the interview prior to issuance of a first Office Action after RCE in accordance with M.P.E.P. § 713.02

**III. Type of Interview Requested**

Personal.

**IV. Exhibits**

None.

**V. Issues to Be Discussed:**

**A. Identification of claims to be discussed:**

Claims 1-3 and 7-23.

**B. Identification of rejections to be discussed:**

Applicants gratefully acknowledge that claims 2 and 7-10 would be allowable if rewritten in independent form and that claims 11-23 have been allowed.

Claims 1 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nomoto (U.S. Patent No. 6,320,216 B1).

**C. Identification of principal proposed amendments:**

None.

**D. Brief Identification of principal arguments:**

The traversal arguments set forth in the Request for Reconsideration under 37 C.F.R. § 1.116 filed on October 6, 2005 and considered by the Advisory Action mailed October 20, 2005.

Applicants submit additional Remarks below for consideration by the Examiner and to be discussed in the personal interview.

Applicants note that an RCE is filed concurrently herewith.

Applicants reiterate the clear difference between the transition layer of Nomoto and the claimed “*transition metal*”.

That is, Nomoto does not disclose any “transition metal” in the “transition layers 5a and 5b”.

Applicants reiterate that a “*transition metal*” ordinarily is defined as any one of a large group of elements (e.g., in the Periodic Table) in which the filling of the outermost electron shell to eight electrons is interrupted to bring the penultimate shell (which can be used in bonding) from eight to 18 or 32 electrons (see Chambers Dictionary of Science and Technology, © Chambers Harrap Publishers, Ltd. 1999).

Applicants note that the ordinarily skilled artisan would know and understand that typical examples of “*transition metal*” include:

K, Ca, Sc, Ti, V, Cr, Mn, Fe, Co, Ni, Cu, Zn,  
Rb, Sr, Y, Zr, Nb, Mo, Tc, Ru, Rh, Ag, Cd,  
Lu, Hf, Ta, W, Re, Os, Ir, Pt, Au, Hg.

(e.g., see [http://en.wikipedia.org/wiki/Transition\\_metal](http://en.wikipedia.org/wiki/Transition_metal)).

On the other hand, Nomoto clearly fails to disclose or suggest any transition metal as described above in the transition layers 5a and 5b.

In fact, Nomoto merely discloses that transition layers 5a and 5b are made of (i) Si, (ii) SiGe or Ge, (iii) a Group III-V compound semiconductor including at least one element selected from the group consisting of In and Ga of the Group III element and Sb of the Group V element (e.g., see Nomoto at column 4, lines 44-67, which corresponds to page 5, paragraph 8, of the Office Action dated August 11, 2005,

Thus, Applicants submit that Nomoto clearly does not disclose or suggest that the transition layers 5a and 5b include “transition metal”.

For the foregoing reasons, Nomoto clearly does not disclose or suggest all of the features of the claimed invention. The Examiner respectfully is requested to reconsider and withdraw this rejection and to permit claims 1 and 3 to pass to immediate allowance.

## **VI. Conclusion:**

In view of the foregoing Interview Agenda in accordance with M.P.E.P. § 713, Applicants respectfully request that the Examiner contact the undersigned attorney at the local telephone number listed below, or at the undersigned attorney’s direct local telephone number at **(703) 761-7623** to arrange for the interview.

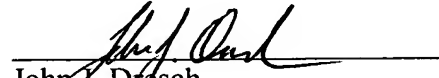
Serial No. 10/695,453  
Docket No. T36-159874M/RS  
(NGB.322)

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No fees are believed to be necessary. However, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: November 10, 2005

  
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